THE HONOURABLE SRI JUSTICE
A.GOPAL REDDY
and
THE HONOURABLE SRI JUSTICE
G.V.SEETHAPATHY

TAKEN UP W.P.No.24976 of 2007

Dt.19-12-2007

Between:

Kamala

..Petitioner

and

1.The SHO, Afzalgunj Police Station,
Hyderabad and another

..Respondents.

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Oral Order: (Per Hon'ble Sri Justice ***A.Gopal Reddy***)

The letter written by the petitioner, mother of the alleged detenu, Roopesh Singh, to the Hon'ble the Chief Justice alleging that her son was illegally detained by the police, Afzalgunj, on the ground that several cases were booked against her son, without serving any notice and without producing before the Magistrate, was taken as writ petition.

On issuing notice, Inspector of Police, Afzalgunj Police Station filed an affidavit stating that the alleged detenu is accused No.1 in Cr.No.415 of 2007 registered for the offence under Section 382 IPC by the Afzalgunj Police Station, Hyderabad, and after arrest of the detenu on 22-11-2007 he was produced before the II Additional Chief Metropolitan Magistrate, Nampally, Hyderabad on the same day and on such production, the Magistrate ordered for remand to judicial custody and now he was lodged in Central Prison, Chenchalguda, Hyderabad. It is also stated apart from the above crime, the alleged detenu was involved in Cr.No.282 of 2007 registered for the offence under Section 324 r/w 34 IPC another Cr.No.523 of 2007 for the offence under Section 382 IPC of Afzalgunj Police Station; further he was also involved in Cr.No.122 of 2004 for the offence under Section 382 IPC of Kulsumpura Police Station, in which charge sheet was also

filed which was taken on file as C.C.No.266 of 2005 wherein the learned Magistrate ordered NBW, which is pending; later he was surrendered before the VI Additional Chief Metropolitan Magistrate, Nampally, Hyderabad and on such surrender he was remanded to judicial custody and later he was enlarged on bail on 07-11-2007; after such enlargement only he was arrested in connection with Cr.No.415 of 2007 and Cr.No.282 of 2007 on 22-11-2007; the detenu was also an accused No.3 in Cr.No.453 of 2006 registered for the offence under Sections 147, 148, 302, 109, 120B r/w 149 IPC and Sections 27 and 25 (1) (B) (b) of Arms Act on the file of Madhapur Police Station. Having regard to the fact that the alleged detenu was remanded to judicial custody after obtaining lawful orders from the court, writ petition may be dismissed.

In view of the same, we see no force in the allegation of the petitioner that her son was illegally detained by the police.

Writ petition fails and it is accordingly dismissed.

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A.GOPAL REDDY, J.

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G.V.SEETHAPATHY,J

19-12-2007

Murthy